TOWNSHIP OF WATERFORD

ORDINANCE NO. 2018-5

ORDINANCE TO RELEASE, VACATE AND EXTINGUISH ANY AND ALL PUBLIC RIGHTS IN AND TO A PORTION OF MERION AVENUE, IN THE TOWNSHIP OF WATERFORD, COUNTY OF CAMDEN, STATE OF NEW JERSEY

WHEREAS, the Mayor and Township Committee of the Township of Waterford are of the opinion that the public interest will best be served by abandoning, vacating, releasing and extinguishing any and all public rights which the Township may have in and to a portion of Merion Avenue as set forth below; and

WHEREAS, N.J.S.A. 40:67-1b provides that a municipality may vacate any public street, highway, land or alley or any part thereof; and

WHEREAS, N.J.S.A. 40:67-19 provides that whenever there shall have been a dedication of lands as a public place and the same has not been accepted and opened by the municipality, the municipality by Ordinance may release, relinquish the public right arising from said dedication; and

NOW, THEREFORE, be it ordained by the Mayor and Township Committee of the Township of Waterford, County of Camden, State of New Jersey, as follows:

Section 1. The public rights and interest of a portion of Merion Avenue more particularly described as follows is hereby vacated, abandoned and released:

SEE ATTACHED LEGAL DESCRIPTION WHICH IS INCORPORATED BY REFERENCE HEREIN

Section 2. The public rights, interest and obligations of the aforementioned property, more particularly described in Section 1 above, are hereby vacated, abandoned and released and the said public rights are released to the abutting property owners of the aforesaid street.

Section 3. The Township hereby expressly reserves and excepts from vacation all rights and privileges possessed by public utilities, as defined in N.J.S.A. 48:2-13, and by any cable television company, as defined in the "Cable Television Act," P.L. 1972, c.186, (N.J.S.A. 48:5A-1 et seq.) to maintain, repair and replace their existing facilities in adjacent to, over or under the street, highway, lane, alley, square, place or park, or any part thereof, to be vacated.

Section 4. The rights and privileges of the Township of Waterford, and any and all fire companies authorized by the Township of Waterford to perform fire protection services in the municipality, to install, maintain, repair, and replace any existing fire hydrants; and the right and privilege to make use of said fire hydrants, and to have access and egress to and from said fire hydrants, are hereby expressly reserved and excepted from the vacation.

The rights and privileges of the Township of Waterford to maintain, repair and replace any existing sewer or water lines, and the right and privilege to use said sewer and water lines and to have access to and egress to same, are hereby expressly reserved and excepted from the vacation.

Section 5. The Township Committee hereby directs the Township Clerk to file a copy of this Ordinance, certified under the seal of the municipality to be a true copy of said Ordinance, together with a copy of the proof of publication, with the Clerk of Camden County pursuant to the provisions of N.J.S.A. 49:67-21.

Section 6. If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a Court of competent jurisdiction, such order of

judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

Section 7. All Ordinances or parts of Ordinances which are inconsistent with the provisions hereof, are, to the extent of such inconsistencies, hereby repealed.

Section 8. This Ordinance shall take effect immediately upon adoption and publication as required by law.

Lori A. Friddell, RMC, Township Clerk

William A. Richardson, Jr., Mayor

Introduced: February 14, 2018
Public Hearing: February 28, 2018
Adopted: February 28, 2018

UPON INTRODUCTION ON 2-14-2018					
	GIANGIULIO	HANNA	SURA	YEATMAN	RICHARDSON
YES	X	X		X	X
ABSTAIN					
NO					
ABSENT			X		
UPON ADOPTION ON 2-28-2018					
	GIANGIULIO	HANNA	SURA	YEATMAN	RICHARDSON
YES	X	X	X	X	X
ABSTAIN					
NO					
ABSENT					

Certified to be a true copy of an Ordinance adopted by the Mayor and Township Committee of the Township of Waterford at a Meeting held on February 28, 2018.

Dated: February 28, 2018

Lori A. Friddell, RMC, Township Clerk

Christopher J. Noll, PE, CME, PP
President & CEO

Barbara J Fegley, AICP, PP
Sec/Treas. & Sr. Vice President

William H. Kirchner, PE, CME, N-2
Vice President

ENVIRONMENTAL RESOLUTIONS, INC.
Engineers • Planners • Scientists • Surveyors

Rakesh R. Darji, PE, PP, CME, CFM
G. Jeffrey Hanson, PE, CME
Joseph R. Hirsh, PE, CME, CPWM
Joseph P. Orsino, CET
Marc H. Selover, LSRP, PG
Benjamin R. Weller, PE, CME, CPWM, S-3, C-3

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VACATION OF PORTION OF MERION AVENUE adjacent to Tax Map Lot 12, Block 4102

BEGINNING at a point in the easterly right of way line of the White Horse Pike, 66 feet wide, where the same is intersected by the southerly right of way line of Merion Avenue, 50 feet wide, said point being the present northwesterly corner of Tax Map Lot 12 in Block 4102, and from said beginning point running:

1. Along the right of way of The White Horse Pike, North 24° 42' 20" West 25.00 feet to the centerline of Merion Avenue; thence

2. Along said centerline, North 65° 17' 40" East, 401.02 feet to the remaining portion of Merion Avenue; thence

3. Along said remaining portion of Merion Avenue, South 24° 42' 20" East 25.00 feet to the northeasterly corner of Lot 12 in Block 4102; thence

4. Along said Lot 12, South 65° 17' 40" West, 401.00 feet to the point and place of beginning

CONTAINING within said bounds, 10,025 square feet or 0.230 Acres of land, be the same more or less.

This land is to be combined with and made a part of Tax Map Lot 12 in Block 4102.

Prepared by:

Charles L. Walton, Jr., NJ PE & LS 15800

February 8, 2018

Stacey Arcari, PE, CME, PTOE, PP
Harry R. Fox, NICET III, CPSI
Timothy Kaluhiokalani, LLA, PP, CPSI
Matthew V. Litvinas, PE, CME

C. Jeremy Noll, PE, CME
John L. Scott, Jr., PLS, NICET III
John T. Potts, NICET III, W-2, T-2

Andrew J. Orsino, NICET III
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VACATION OF PORTION OF MERION AVENUE adjacent to Tax Map Lot 12, Block 4106

BEGINNING at a point in the easterly right of way line of the White Horse Pike, 66 feet wide, where the same is intersected by the northerly right of way line of Merion Avenue, 50 feet wide, said point being the present southwesterly corner of Tax Map Lot 12 in Block 4106, and from said beginning point running:

1. Along said Lot 12, North 65° 17' 40" East 250.00 feet to a point corner to the same ; thence

2. Crossing the right of way of Merion Avenue, South 24° 42' 20" East 25.00 feet to the centerline thereof; thence

3. Along said centerline, South 65° 17' 40" West, 250.00 feet to the aforesaid easterly right of way line of the White Horse Pike; thence

4. Along said right of way of the Whitehorse Pike, North 24° 42' 20" West 25.00 feet to the point and place of beginning.

CONTAINING within said bounds, 6,250 square feet or 0.144 Acres of land, be the same more or less.

This land is to be combined with and made a part of Tax Map Lot 12 in Block 4106.

Prepared by:

Charles L. Walton, Jr., NJ PE & LS 15800

February 8, 2018

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